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HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 1454 of 2007

Petitioners :1. Udhoram Sahu
Aged 47 years
S/o Shri Ramji Sahu,
Assistant Teacher,
Govt. Middle School, Siyanmara,
Block Gunderdehi,
District, Durg (C.G.)

2. Yuvraj Singh Sahu
Aged 40 years
S/o Shri Anand Ram Sahu,
Assistant Teacher,
Govt. Primery School, Pangari,
Block Gunderdehi,
District, Durg (C.G.)

3. Jeewan Lal Sahu
Aged 41 years
S/o Shri Tulsi Ram Sahu,
Assistant Teacher,
Govt. Primary School, Bergoan,
Block Dongargaon, Tahsil &
District, Rajnandgaon (C.G.)

4. Durga Ram Joshi
Aged 41 years
S/o Shri Sarju Prasad Joshi,
Assistant Teacher,
Govt. Primary School, Nardhi,
Village Amlidihi, Post Barang,
District, Durg (C.G.)

5. Naryan Singh Vishwkarma
Aged 41 years
S/o Shri Nanku Ram Vishwkarma,
Assistant Teacher,
Govt. Middle School, Batang,
Tahsil Patan,
District, Durg (C.G.)

6. Itwari Ram Chirame
Aged 41 years
S/o Shri G.R. Chirame,
Assistant Teacher,
Govt. Primary School, Aacholi,
Post Aamgoan, Tahsil &
District, Rajnandgaon (C.G.)

7. Shanti Lal Chandrakar
Aged 39 years
S/o Shri Rambalak Chandrakar,
Assistant Teacher,
Govt. Primary School, Achoud,
Block Gonderdehi
District, Durg (C.G.)

8. Heeralal Sahu
Aged 40 years
S/o Shri Eakanath Sahu,
Assistant Teacher,
Govt. Primary School, Pendri,

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Block Gonderdehi
District, Durg (C.G.)

9. Rajeev Chandrakar
Aged 30 years
S/o Shri Ganga Ram Chandrakar,
Assistant Teacher,
Govt. High School, Mokha,
Block Gonderdehi
District, Durg (C.G.)

10. Vijay Kumar Sunhare
Aged 39 years
S/o Shri Than Singh,
Assistant Teacher,
Govt. Middle School, Gujra,
District, Durg (C.G.)

11. Smt. Arun Salama
(Before Marriage Arun Koreti)
Aged 34 years
W/o Shri Sampat Lal Salama,
Assistant Teacher,
Govt. Primary School, Bharetola,
District, Rajnandgaon (C.G.)

12. Ved Prakash Pardhi
Aged 36 years
S/o Shri D.L. Pardhi,
Assistant Teacher,
Govt. Primary School, Badratola,
District, Rajnandgaon (C.G.)

13. Dharmendra Kumar Sahu
Aged 32 years
S/o Shri Alakh Ram Sahu,
Assistant Teacher,
Govt. Primary School, Mongari
Block Gonderdehi,
District, Durg (C.G.).

14. Daman Lal Sahu
Aged 37 years
S/o Shri Sant Ram Sahu,
Assistant Teacher,
Govt. Middle School, Penwaro,
Block Gurrur, Tahsil &
District, Durg (C.G.)

15. Smt. Veena Gupta
Aged 40 years
W/o Shri Alok Gupta,
Assistant Teacher,
Govt. Primary School, Borsi,
District, Durg (C.G.)

16. Smt. Inderalaxmi Rangare
Aged 42 years
W/o Shri L.K. Rangare,
Assistant Teacher,
Govt. Girls Primary School, Badratola,
District, Rajnandgaon (C.G.)

17. Mandhata Sagar
Aged 46 years
S/o Shri Dukhu Ram Sagar,

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Assistant Teacher,
Govt. Primary School, Dhangaon,
Tahsil Gonderdehi &
District, Durg (C.G.)

18. Ratanlal Sinha
Aged 42 Years
S/o Shri Nrsingh Sinha,
Assistant Teacher,
Govt. Primary School, Dundera,
Tahsil Gonderdehi
District, Durg (C.G.)

19. Shyam Narayan Joshi
Aged 47 years
S/o Shri Daulal Joshi,
Assistant Teacher,
Govt. Primary School, Chourel,
Block Gonderdehi
District, Durg (C.G.)

20. Jayprakash Rajput
Aged 45 years
S/o Shri Than Singh Rajput,
Assistant Teacher,
Govt. Primary School, Todapar,
Block Gurrur, Tahsil &
District, Durg (C.G.)

21. Smt. Mithila Mishra
Aged 37 years
C/o Shri Anil Kumar Mishra,
Assistant Teacher,
Govt. Middle School, Borsi,
Tahsil & District, Durg (C.G.)

22. Ashok Kumar Dhruw
Aged 39 years
S/o Shri Barshan Ram Dhruw,
Assistant Teacher,
Govt. Primary School, Kharra,
Block Berla, Tahsil &
District, Durg (C.G.)

23. Kushal ram Koshre
Aged 41 years
S/o Shri Sagar Ram Kishore,
Assistant Teacher,
Govt. Primary School, Ghoghopuri,
Block Gurrur, Tahsil &
District, Durg (C.G.)

24. Kanak Das Mahant
Aged 42 years
S/o Shri Ramesher Sahu,
Assistant Teacher,
Govt. Primary School, Ramtard,
Block Gurrur, Tahsil &
District, Durg (C.G.).

25. Kanahiya Lal Gajendra
Aged 41 years
S/o Dhansahay,
Assistant Teacher,
Govt. Middle School, Penwaro,

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Block Gurrur, Tahsil &
District, Durg (C.G.).

26. Tejesh Kumar Hirwani
Aged 40 years
S/o Shri Jiwan Lal Hirwani,
Assistant Teacher,
Govt. Primary School, Kariyatola,
Block Gurrur, Tah. & District, Durg (C.G.)

27. Hiraman Lal Sahu
Aged 40 years
S/o Shri Thanwar,
Assistant Teacher,
Govt. Primary School, Bar-para,
Block Gurrur, Tahsil &
District, Durg (C.G.)

28. Lalit Kumar Sahu
Aged 43 years
S/o Shri Sant Ram Sahu,
Assistant Teacher,
Govt. Primery School, Chir-chir,
Block Gurrur, Tahsil &
District, Durg (C.G.)

29. Khedu Ram Sinha
Aged 41 years
S/o Shri Suklal Sinha,
Assistant Teacher,
Govt. Primary School, Nara-gaon,
Block Gurrur, Tahsil &
District, Durg (C.G.)

Versus

Respondents :1. The State Government of Chhattisgarh,
Through the Secretary,
Education Department
D.K.S. Bhavan, Raipur (C.G.)

2. The District Education Officer,
Durg (C.G.)

3. The District Education Officer
Rajnandgaon (C.G.)

Mr. Ajay Shrivastava, Advocate for the Petitioners.

Ms. Deepali Pandey, Panel lawyer for the respondents/State.

ORDER

(Passed on this 13th day of March, 2007)

1. The petitioners are working as Assistant Teachers in the government school. In the course of their services as Assistant Teachers, the petitioners No. 1 to 5 have obtained D.Ed. Examination Certificates in the month of June, 1999, the petitioners No. 6 to 14 have obtained D.Ed. Examination Certificates in the month of June, 2000, the petitioners No.

15 to 26 have obtained D.Ed. Examination Certificates in the month of June, 2001 and the petitioners No. 27 to 29 have obtained D.Ed. Examination Certificates in the month of June, 2002 on their own expenses.

2. Learned counsel appearing for the petitioners submits that the question involved, herein asto whether the teachers, who obtained D.Ed. Examination Certificates on their own expenses, are entitled to two advance increments.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. /B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24.12.98 (Annexure P/7) issued by the State Government of Madhya Pradesh.

4. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) (Supra).

5. Learned counsel for the petitioners further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

6. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg**

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and another (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Examination Certificates on their own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

B/-